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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,672	11/15/2001	Toshiaki Koue	111114	7494
25944 7590 02/22/2007 OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER JUNG, DAVID YIUK	
			ART UNIT 2134	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE
3 MONTHS			02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/987,672

Applicant(s)

KOUÉ ET AL.

Examiner

David Y. Jung

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on ____ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

CLAIMS PRESENTED

Claims 18-143 are withdrawn from consideration.

Claims 18-143 are cancelled.

Claims 1-17 are presented.

Claims 1, 4, 5, 6, 9, 10, 11, 14, 15, 16, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Cisco

(<http://community.roxen.com/developers/ids/rfc/rfc2305.html>).

Claims 2, 3, 7, 8, 12, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cisco

(<http://community.roxen.com/developers/ids/rfc/rfc2305.html>).

CLAIM REJECTIONS

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 5, 6, 9, 10, 11, 14, 15, 16, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Cisco

(<http://community.roxen.com/developers/ids/rfc/rfc2305.html>).

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1. A control method of an Internet facsimile being connected to a telephone network and Internet for transferring electronic mail received via the Internet by facsimile

(Cisco section 1. SCOPE, "message based facsimile communication over the Internet, ... Internet mail ...")

the control method comprising the steps of: receiving electronic mail containing an password encrypted and related to a control command for indicating a facsimile communication function; decrypting the password encrypted; and transferring an electronic mail document by facsimile following the control command using the password decrypted.

(Cisco section 5.3.2 Object security, "Message encryption, such as PGP-MIME and S/MIME).

4. The control method as claimed in claim 1 wherein the encryption of the password is performed in an encryption system of S/MIME (Secure/Multipurpose Internet Mail Extension) or PGP/MIME (Pretty Good Privacy/Multipurpose Internet Mail Extension).

(Cisco section 5.3.2 Object security, "Message encryption, such as PGP-MIME and S/MIME).

5. The control method as claimed in claim 1 wherein the control command indicates a confidential communication function, a bulletin board communication

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function, or a relay broadcast communication function defined in ITU-T (International Telecommunications Union-Telecommunications Standards Section) Recommendation T.30.

(Cisco section 1.1 Services, "G3Fax", i.e., generation 3 facsimile which is defined by T.30)

Claims 6-10 and 11-15 are analogs of claims 1-5.

Features special to claims 6-10 is internet facsimile (taught at Cisco section 1. SCOPE, "message based facsimile communication over the Internet, ... Internet mail ...") and claims 11-15 is computer instruction terminal (taught at Cisco section SUMMARY, "PCs ... communication ...").

16. An Internet facsimile being connected to both a telephone network and Internet and having a function of transferring an electronic mail document received via the Internet by facsimile,

(Cisco section 1. SCOPE, "message based facsimile communication over the Internet, ... Internet mail ...")

the Internet facsimile comprising: a determination section, upon reception of an electronic mail document to be transferred by facsimile, for determining whether or not the transmission source is identified correctly; and a communication control section for transferring the received electronic mail by facsimile only if the determination section determines that the transmission source is identified correctly

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(Cisco section 5.2.1. Spoofed sender, "authentication ..." also 5.2.3 GSTN authorization information and also 5.2.4 Sender accountability).

17. The Internet facsimile as claimed in claim 16 wherein the determination section uses a function of S/MIME (Secure/Multipurpose Internet Mail Extension) or PGP/MIME (Pretty Good Privacy/ Multipurpose Internet Mail Extension) to determine whether or not the transmission source can be identified correctly

(Cisco section 5.3.2 Object security, "Message encryption, such as PGP-MIME and S/MIME).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 7, 8, 12, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cisco

(<http://community.roxen.com/developers/ids/rfc/rfc2305.html>).

Regarding claim 2, 3, CISCO teaches as noted in the rejection under 35 USC 102.

Regarding claim 2 (The control method as claimed in claim 1 wherein the password is encrypted and set in a main body of the electronic mail), Cisco does not teach this explicit feature.

Nevertheless, it was well known in the art to set encrypted message in the main body for the motivation of easier communication with a smaller destination field (so as to not congest the destination field which would be read frequently for addressing).

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify CISCO for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claim 2 (The control method as claimed in claim 1 wherein the password is encrypted and set in a destination field of received electronic mail), Cisco does not teach this explicit feature.

Nevertheless, it was well known in the art to set encrypted message in the destination field for the motivation of greater security (so that even the delivery destination itself would not be easily known).

Hence, it would have been obvious to those of ordinary skill in the art at the time of the claimed invention to modify CISCO for the motivation noted in the previous paragraphs so as to teach the claimed invention.

Regarding claims 7, 8, 12, 13, one may note as follows.

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Claims 6-10 and 11-15 are analogs of claims 1-5.

Features special to claims 6-10 is internet facsimile (taught at Cisco section 1. SCOPE, "message based facsimile communication over the Internet, ... Internet mail ...") and claims 11-15 is computer instruction terminal (taught at Cisco section SUMMARY, "PCs ... communication ...").

Thus, claims 7, 8, 12, 13 are unpatentable for the reasons noted in the rejections of claims 2, 3.

Conclusion

The art made of record and not relied upon is considered pertinent to applicant's disclosure. The art disclosed general background.

Points of Contact

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

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Or:

(571) 273-3836 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Jung whose telephone number is (571) 272-3836 or Kambiz Zand whose telephone number is (272) 272-3811.

David Jung

Patent Examiner

2/19/07

A handwritten signature in black ink, appearing to be 'David Jung', written over a horizontal line.